



copyright infringement cases in which Masi is a plaintiff. Both exhibits contain the kinds of facts that may be judicially noticed under Rule 201(b)(2) of the Federal Rules of Evidence because they are not subject to reasonable dispute since they can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned. Moreover, this Court may take judicial notice of public records without converting a motion to dismiss into a motion for summary judgment.” *Nunn v. Perry*, 2015 WL 11090928, at \*1 (E.D.N.C. 2015) (citing *Philips v. Pitt Cnty. Mem’l Hosp.*, 572 F.3d 176, 180 (4th Cir. 2009)).

WHEREFORE, for all of the above reasons and those set forth in the Memorandum of Law in Support of Defendant’s Motion to Dismiss, Defendant Mythical Entertainment respectfully requests that the Court dismiss Plaintiffs’ Complaint.

Respectfully submitted this the 29th day of October, 2019.

/s/ Christopher M. Thomas

Christopher M. Thomas

N.C. Bar No. 31834

PARKER POE ADAMS & BERNSTEIN LLP

301 Fayetteville Street, Suite 1400

Raleigh, North Carolina 27601

Phone: (919) 828-0564

Fax: (919) 834-4564

Email: christhomas@parkerpoe.com

*Local Rule 83.1 Counsel for Defendant*

Jordan Susman, Esq.

Henry Self, Esq.

HARDER LLP

132 S. Rodeo Drive, Fourth Floor

Beverly Hills, California 90212

Tel. (424) 203-1600

*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing **DEFENDANT MYTHICAL ENTERTAINMENT'S MOTION TO DISMISS** was electronically filed on this day with the Clerk of Court using the CM/ECF system which will automatically send notice of the same addressed to the following:

Albert P. Allan  
Allan Law Firm PLLC  
409 East Boulevard  
Charlotte, NC 28203  
alallan@allaniplitigation.com

Richard P. Liebowitz  
Libowitz Law Firm PLLC  
11 Sunrise Plaza, Suite 305  
Valley Stream, NY 11580  
rl@Liebowitzlawfrim.com  
*Counsel for Plaintiff*

This 29th day of October, 2019.

/s/ Christopher M. Thomas  
Christopher M. Thomas  
N.C. State Bar No. 31834  
christhomas@parkerpoe.com  
PARKER POE ADAMS & BERNSTEIN LLP  
301 Fayetteville Street, Suite 1400  
Post Office Box 389  
Raleigh, North Carolina 27602-0389  
Telephone: (919) 828-0564  
Facsimile: (919) 834-4564  
*Local Rule 83.1 Counsel for Defendant*